

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL CASE NO. 3:09cv309  
[Criminal Case No. 3:08cr55]

RAFAEL WILFREDO RIVAS, )  
)  
Petitioner, )  
)  
vs. )  
)  
UNITED STATES OF AMERICA, )  
)  
Respondent. )  
\_\_\_\_\_ )

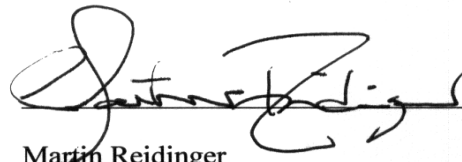
ORDER

**THIS MATTER** is before the Court on the Petitioner's Motion to Withdraw 28 U.S.C. §2255 Motion [Doc. 7].

The Court finds, for the reasons stated in the motion, that it should be granted.

**IT IS, THEREFORE, ORDERED** that the Petitioner's Motion to Withdraw 28 U.S.C. §2255 Motion [Doc. 7] is hereby **GRANTED** and this action is hereby **DISMISSED**.

Signed: September 1, 2009

  
Martin Reidinger  
United States District Judge

